

<h2 style="margin: 0;">REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</h2> <p style="font-size: small; margin-top: 10px;">Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number</td> <td style="padding: 2px;">10/824,730</td> </tr> <tr> <td style="padding: 2px;">Filing Date</td> <td style="padding: 2px;">April 15, 2004</td> </tr> <tr> <td style="padding: 2px;">First Named Inventor</td> <td style="padding: 2px;">Jacoby</td> </tr> <tr> <td style="padding: 2px;">Group Art Unit</td> <td style="padding: 2px;">1772</td> </tr> <tr> <td style="padding: 2px;">Examiner Name</td> <td style="padding: 2px;">Chevalier, A. A.</td> </tr> <tr> <td style="padding: 2px;">Attorney Docket Number</td> <td style="padding: 2px;">13237.0001U2</td> </tr> </table>	Application Number	10/824,730	Filing Date	April 15, 2004	First Named Inventor	Jacoby	Group Art Unit	1772	Examiner Name	Chevalier, A. A.	Attorney Docket Number	13237.0001U2
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First Named Inventor	Jacoby												
Group Art Unit	1772												
Examiner Name	Chevalier, A. A.												
Attorney Docket Number	13237.0001U2												

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:**

37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_.  
Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37. C.F.R. § 1.103(c) for a period of \*\*\*\*\* months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \*\*\*\*\*

**3. Fees**

- a. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed for the fees designated below.
- b. ☒ Payment by credit card in the amount of \$ 395.00 for the fees designated below. (Form PTO-2038 enclosed).  
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
- c. ☐ The Director is hereby authorized to charge the amount of \$ \_\_\_\_\_ for the fees designated below to Deposit Account No. \_\_\_\_\_.
- d. ☒ Fees
- ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- ☐ Other \_\_\_\_\_
- e. ☒ The Director is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 14-0629.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	D. Brian Shortell, JD, PhD	Registration No. (Attorney/Agent)	56,020
Signature		Date	May 23, 2007

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Name of Person Mailing(Print/Type)	D. Brian Shortell, JD, PhD		
Signature	/D. Brian Shortell/	Date	May 23, 2007